

REMARKS

Reconsideration and allowance are respectfully requested. Claims 1, 3-20, 22-28, 30-39 and 41 are pending.

Claims 1, 3, 5-7, 9, 12-14, 17, 18, 20, 22-24, 27, 28, 30, 32-34, 36, 39, and 41 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Maurille in view of Jindal et al. This rejection is respectfully traversed since the hypothetical combination does not teach or suggest the linking of the first and second application instances as claimed.

With regard to the independent claims, the Examiner admits that Maurille fails to disclose that an application session of the second party is established by another application instance distinct from the first application instance. The Examiner cites Jindal wherein a system is provided for balancing client requests among multiple instances of an application. The Examiner contends that, "This reduces that the load on any single instance of the application, resulting [in] increased performance of the system..." The Examiner further contends that it would have been obvious to one of ordinary skill in the art to modify Maurille "to use multiple instances of the server application to serve sessions from different clients since it would have reduced the load on a single instance of the server application". Applicants disagree that the combination of Maurille and Jindal suggests the claimed invention.

First, Jindal teaches a load balancing policy for distributing client requests for an application among a plurality of instances of the application operating on a plurality of servers. A policy is selected for choosing a preferred server, from a plurality of servers 110, 112, 114, that offers an application instance 104 based on a characteristic of the application instance 104. See the Abstract and Fig. 1 of Jindal. Thus, in Jindal, the load on a single server may be reduced by choosing another server offering the application instance. Thus, Jindal merely teaches that it is known to have multiple application instances and access to servers can be prioritized for obtaining an application instance.

However, the claims recite inserting a uniform resource locator (URL) within the HTML page, originating in a first application instance, causing a browser to request

interruption of a present application session of the second party, established by another application instance distinct from the first application instance, to create the new application session for the second party.

Even if Maurille were modified by employing the teachings of Jindal, the modification would not result in the claimed subject matter, since the combination does not teach or suggest the linking of the first and second application instances as claimed. More particularly, if the teachings of Jindal were employed in the system of Maurille, there would merely be multiple server applications 114 in Maurille. The message box (which the Examiner considers to be the claimed interrupting step) requesting that the user stop the current session and to enter a talk session would still occur in a server application 114 of the multiple server applications. There is simply no suggestion in the prior art of record of generating a HTML page, originating in a first application instance, for interrupting of a present application session of the second party, established by another application instance distinct from the first application instance.

Thus, the rejection of independent claims 1, 12, 20, 28, and 39 and the claims that depend there-from is improper and should be withdrawn.

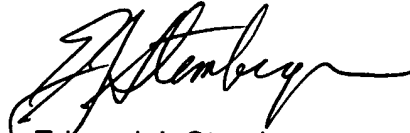
Claims 8, 10, 15, 16, 25, 26, 35 and 37 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Maurille in view of Jindal in further view of Official Notice. These claims are dependent claims and are considered to be allowable for the reasons advanced above and, for that additional reason, that the added subject matter thereof is not taught or suggested by the prior art of record.

Claims 11 and 38 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Maurille in view of Jindal in further view of Cave. These claims depend from independent claims 1 and 28, respectively, and are considered to be allowable for the reasons advanced above, and for that additional reason that the added subject matter thereof is not taught or suggested by the prior art of record.

The indication that dependent claims 4, 19 and 31 contain allowable subject matter is noted with thanks. However, Applicants see no need in placing these claims in independent format since the independent claims 1, 12 and 28 are considered to be in condition for allowance.

All rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "E. Stemberger", with a stylized flourish at the end.

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